



**The MVA's mission is to support our merchant members and help the Village thrive.**

July 19, 2017

Assemblymember Rob Bonta  
State Capitol, Room 2204  
Sacramento, CA 95814

**RE: AB 1479 (Bonta) – Public Records: Civil Penalties – OPPOSE UNLESS AMENDED**

Dear Assembly Member Bonta:

As the Executive Director of Montclair Village Association, representing Montclair Village in Oakland, I am writing to express our opposition to Assembly Bill 1479, unless amended. The bill would place additional burdens on private non-profit organizations that adhere to the California Public Records Act ("CPRA"). We appreciate the amendments to the bill on July 11 in the Senate Judiciary Committee, but feel additional amendments are needed to protect non-profit, community-based organizations who remain vulnerable to abuse of the CPRA.

The CPRA already provides legal remedies to requestors who feel there have been obstacles. The responsibility of fulfilling these requests often falls on small teams that are stretched to their limits. Our members are required by law to respond to all CPRA requests but there must also be recognition of the significant burden these requests have, in particular serial abuse of the CPRA. On average, our members have an organizational budget under \$250,000 with an average staff of less than two.

Creating a new incentive with a civil penalty provision would create a real economic incentive for those that abuse CPRA to seek not only the penalty, but to also seek attorney's fees and court costs. This provision poses a serious threat to the viability of our non-profit organizations.

Composed of Property Based Improvement Districts, Business Improvement Districts, and Community Benefit Districts, our core mission is to improve and enhance the environment and economy of Oakland's urban centers. Covering a wide range of services including maintenance, customer service, marketing, economic development, special events, and other enhanced services or improvements, we play a key role in Oakland to bridge the gap between the public and private sectors. While we receive limited public funding, and work closely with city and county representatives, we do not hold the same land use authority, do not issue permits, nor do we oversee the core public safety services provided by those public agencies. Our role is one of investment, promotion and revitalization within the urban core, and one primarily funded by private sources.

The Montclair Village Association fully supports transparency within local government and the need to ensure safe, livable communities throughout our state. However, we believe it is critical to clarify that as it is written today, AB 1479 will unfairly impact private non-profit organizations.

On behalf of the Montclair Village Association's board members and merchants, I would ask AB 1479 be amended to restrict its application only to public (governmental) agencies. I look forward to continued conversations with you and your staff to help us address our concerns.

Sincerely,

Daniel Swafford,  
Executive Director  
Montclair Village Association



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## Montclair Village Association

The Montclair Village Association (MVA) is a Business Improvement District (B.I.D.) made up of approximately 230 retail and service businesses located in Montclair Village. The MVA was previously known as the Montclair Business Association (MBA) for over 50 years.

In 2001 the businesses located in Montclair Village voted to become a Business Improvement District by agreeing to pay an additional assessment each year to the City of Oakland based on their gross revenue. In 2010 the Association created a new category of **Associate Membership**, to permit businesses located adjacent to the Village to join and enjoy the same benefits of Association membership.

The assessments paid by MVA members and Associate members are used to pay for revitalization efforts in the neighborhood commercial district, covering maintenance, beautification, promotions and security issues not supplied by City resources.

**The MVA's mission is to support and enhance the Montclair Village business district to be a vibrant destination for MVA members, residents, and visitors.**

Five Goals of the Association are:

1. To bring about the revitalization of Montclair Village and its surrounds.
2. To bring investment of public and private capital to Montclair Village for public benefit and charitable purposes.
3. To increase quality public improvements and educational, cultural, artistic, charitable services in Montclair for public and charitable purposes.
4. To increase economic well-being of residents, employees and businesses in Montclair Village.
5. To promote business in Montclair Village

The Association is governed by its **By-laws**. A **Board of Directors**, elected from its membership annually, creates and/or approves the policies. Standing committees make recommendations to the Board for action. All meetings are subject to the provisions of **The Brown Act** (a pdf document).

Currently the following organizational groups meet on a regular basis. Special teams or groups may be formed from time-to-time as determined by the Board:

MVA Group	Meetings	Location
Board of Directors	Last Wednesday of the month: 9:15 AM	US Bank 1998 Mountain Blvd.
Executive Committee	Last Wednesday of the month: 9:15 AM	US Bank 1998 Mountain Blvd.
Beautification/Safety/Land Use	Ad hoc	TBA
Promotions Committee	Ad hoc	TBA

These meetings are open to all Village merchants and any community members interested in attending. Agendas and meeting Minutes are available upon request from the **MVA office**.

Minutes from each meeting and Association Financial Reports are available upon request from the **MVA office**.

Montclair Village Association  
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### Upcoming Events

- SUN **Montclair Village Sunday Farmers' Market**  
23 July 23 @ 9:00 am - 1:00 pm  
Recurring Event ([See all](#))  
Every week  
**La Salle Ave**
- WED **MVA Board and Executive Committee Meeting**  
26 July 26 @ 9:15 am - 10:15 am  
Recurring Event ([See all](#))  
Every Last Wednesday of Each Month  
**US Bank**
- SAT **The Karate Kid at the Outdoor Movie Night In Montclair Village**  
29 July 29 @ 7:00 pm - 11:00 pm  
**Red Oak Realty Parking Lot**
- SUN **Montclair Village Sunday Farmers' Market**  
30 July 30 @ 9:00 am - 1:00 pm  
Recurring Event ([See all](#))  
Every week  
**La Salle Ave**

- THU **MSIC Steering Committee Meeting**  
03 August 3 @ 7:00 pm - 9:00 pm

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